

257923

PAPERWORK REDUCTION ACT SUBMISSION

Please read the instructions before completing this form. For additional forms or assistance in completing this form, contact your agency's Paperwork Clearance Officer. Send two copies of this form, the collection instrument to be reviewed, the Supporting Statement, and any additional documentation to: Office of Information and Regulatory Affairs, Office of Management and Budget, Docket Library, Room 10102, 725 17th Street NW Washington, DC 20503.

USCG-2003-16327-3

1. Agency/Subagency originating request Dept. of Homeland Security/US Coast Guard		2. OMB control number a. <u>1 6 2 5 - 0 0 4 1</u> b. <input type="checkbox"/> None	
3. Type of information collection (check one) a. <input type="checkbox"/> New collection b. <input type="checkbox"/> Revision of a currently approved collection c. <input checked="" type="checkbox"/> Extension of a currently approved collection d. <input type="checkbox"/> Reinstatement, without change, of a previously approved collection for which approval has expired e. <input type="checkbox"/> Reinstatement, with change, of a previously approved collection for which approval has expired f. <input type="checkbox"/> Existing collection in use without an OMB control number For b-f, note item A2 of Supporting Statement instructions		4. Type of review requested (check one) a. <input checked="" type="checkbox"/> Regular submission b. <input type="checkbox"/> Emergency - Approval requested by: ___/___/___ c. <input type="checkbox"/> Delegated 5. Small entities. Will this information collection have a significant economic impact on a substantial number of small entities? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
		6. Requested expiration date a. <input checked="" type="checkbox"/> Three years from approval date b. <input type="checkbox"/> Other Specify: ___/___/___	
7. Title International Oil Pollution Prevention Certificate			
8. Agency form number(s) (if applicable) CG-5352, CG-5352A, CG-5352B			
9. Keywords Certificate, Oil, Pollution prevention, Vessel			
10. Abstract The information collected aids in the prevention of pollution from ships. An International Oil Pollution Prevention Certificate and other records are used to verify vessel compliance with certain international and domestic shipping regulations.			
11. Affected public (Mark primary with "P" and all others that apply with "X") a. <input type="checkbox"/> Individuals or households d. <input type="checkbox"/> Farms b. <input checked="" type="checkbox"/> Business or other for-profit e. <input type="checkbox"/> Federal Government c. <input type="checkbox"/> Not-for-profit institutions f. <input type="checkbox"/> State, Local or Tribal Gov't		12. Obligation to respond (Mark primary with "P" and all others that apply with "X") a. <input type="checkbox"/> Voluntary b. <input type="checkbox"/> Required to obtain or retain benefits c. <input checked="" type="checkbox"/> Mandatory	
13. Annual reporting and recordkeeping hour burden a. Number of respondents <u>1,650</u> b. Total annual responses <u>25,566</u> 1. Percentage of these responses collected electronically <u>0</u> % c. Total annual hours requested <u>6,616</u> d. Current OMB inventory <u>6,858</u> e. Difference <u>- 242</u> f. Explanation of difference 1. Program change _____ 2. Adjustment <u>- 242</u>		14. Annual reporting and recordkeeping cost burden (in thousands of dollars) a. Total annualized capital/startup costs _____ b. Total annual costs (O&M) _____ c. Total annualized cost requested _____ d. Current OMB inventory _____ e. Difference _____ f. Explanation of difference 1. Program change _____ 2. Adjustment _____	
15. Purpose of information collection (Mark primary with "P" and all others that apply with "X") a. <input type="checkbox"/> Application for benefits e. <input type="checkbox"/> Program planning or management b. <input type="checkbox"/> Program evaluation f. <input type="checkbox"/> Research c. <input type="checkbox"/> General purpose statistics d. <input type="checkbox"/> Audit g. <input checked="" type="checkbox"/> Regulatory or compliance		16. Frequency of recordkeeping or reporting (check all that apply) a. <input checked="" type="checkbox"/> Recordkeeping b. <input type="checkbox"/> Third party disclosure c. <input checked="" type="checkbox"/> Reporting 1. <input checked="" type="checkbox"/> On occasion 2. <input type="checkbox"/> Weekly 3. <input type="checkbox"/> Monthly 4. <input type="checkbox"/> Quarterly 5. <input type="checkbox"/> Semi-annually 6. <input type="checkbox"/> Annually 7. <input type="checkbox"/> Biennially 8. <input checked="" type="checkbox"/> Other (describe) <u>5-years</u>	
17. Statistical methods Does this information collection employ statistical methods? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		18. Agency contact (person who can best answer questions regarding the content of this submission) Name: <u>Mr. David Du Pont</u> Phone: <u>(202) 267-0971</u>	

**Supporting Statement
for
International Oil Pollution Prevention Certificate**

A. Justification.**1. Circumstances which make the collection of information necessary.**

The requirement to possess an International Oil Pollution Prevention (IOPP) Certificate is mandated by Pub. L. 96-478, The Act to Prevent Pollution from Ships 1980; 33 USC 1901-1911. Title 33 USC 1901-1911 requires that the International Convention for the Prevention of Pollution from Ships 1973, as modified by the Protocol of 1978 (MARPOL 73/78) be implemented. The United States Coast Guard has been delegated that authority to implement the requirements. Table 1 lists the MARPOL requirements covered by this information collection.

**Table 1.
Requirements Covered by OMB 1625-0041 and Respective CFR Citations**

Requirement.	33 CFR
a) IOPP Certificates and supplements. <ul style="list-style-type: none"> Each U.S. oil tanker of 150 gross tons and above and each other U.S. ship of 400 gross tons and above; that engages on international voyages to ports or off-shore terminals under the jurisdiction of other parties to MARPOL 73/78. 	151.19
b) Evidence required for ships not party to MARPOL 73/78. <ul style="list-style-type: none"> Each oil tanker of 150 gross tons and above and each other ship of 400 gross tons and above. 	151.21
c) Retain discharge data recorded by a cargo monitor. <ul style="list-style-type: none"> Each tank vessel 150 gross tons or more carrying oil in bulk. 	157.37(d)

- a) IOPP Certificates and supplements.** All ships engaged in international voyages are required to comply with IOPP certificate requirements. Due to the complex requirements of MARPOL 73/78 and the language difficulties associated with international trade, a uniform certificate listing vital information about the ship's characteristics in a standard form is necessary. The format for the certificate was agreed to by the United States and other signatories to MARPOL 73/78. The IOPP Certificate is valid for a period of 5 years from the date of issue.

The IOPP certificates serve the necessary function of providing, in standard format and language, for ships of various countries, all the information needed by an inspecting official to efficiently determine whether a ship is in compliance with the requirements of MARPOL 73/78.

- b) Evidence required for ships not party to MARPOL 73/78.** This implements Article 5(4) of MARPOL 73/78, and is intended to prevent a ship from obtaining more favorable treatment due to its non-party status. Such ships will be required to have surveys conducted and valid documentation that the ship is in compliance with MARPOL 73/78.
- c) Retain discharge data recorded by a cargo monitor.** The installation and use of cargo monitor and control systems on tank vessels that are 150 gross tons or more is required by 33 CFR 157. Each tank vessel must retain the printout of discharge data from that system for at least three years.

This information collection supports the following strategic goals:

Coast Guard

- Protection of the Natural Resources

Marine Safety, Security and Environmental Protection Directorate (G-M)

- Human and Natural Environment: Eliminate environmental damage associated with maritime transportation and operations on and around the nation's waterways.

2. Purpose of the information collection.

a) and b) This data is used by Coast Guard inspectors to prepare for inspections requested by ship owners or operators and to issue an IOPP Certificate in a minimum amount of time. The IOPP Certificate makes possible the efficient and effective enforcement of MARPOL 73/78, saving both the government and the ship owners and operators time and expense. Without a standard IOPP Certificate, the routine inspection of a ship upon entry to a port would be extremely burdensome and time consuming for both the government inspector and ship operator. The potential delay represents a significant expense to the ship owner due to lost time for the ship to transfer cargo.

c) This recordkeeping requirement stems directly from the requirements of Regulation 15(3)(a) of Annex I of MARPOL 73/78 that each vessel retain the printout of cargo monitor discharge data from the recording device (part of the control system for three years.) This requirement has been incorporated in 33 CFR 157.37(d). These printouts verify the vessel's compliance with oil discharge standards. There is no requirement that these printouts be submitted to any agency.

In the event of an oil discharge this information will be used to verify if the vessel causing the discharge violated the oil discharge limits of MARPOL 73/78. If the vessel did not, it could be used by the vessel operator as mitigating evidence regardless of the presence of visible traces of oil. This would not be possible if this information was not available. However, this information is not required to be submitted to an agency, merely retained by the vessel and/or ashore for 3-years. In addition, this is a specific requirement of MARPOL 73/78, to which the United States is party, and under the terms of this treaty, must be implemented.

3. Considerations of the use of improved information technology to reduce the burden.

There is no improved information technology available to reduce the burden. The collection consists of maintaining a paper Certificate or cargo monitor discharge record.

4. Efforts to identify duplication. Why similar information cannot be used.

The Coast Guard is the only agency, Federal, State or private, that requires this information collection and that administers MARPOL 73/78 requirements on commercial vessels. The regulations allow foreign vessels to show compliance through an IOPP Certificate rather than directly submitting information to the Coast Guard. This avoids duplication on an international level.

5. Methods used to minimize the burdens to small businesses, if involved.

This requirement will be a minimum burden to all respondents. The recordkeeping requirements should not adversely affect small organizations.

6. Consequences to the Federal program if collection were conducted less frequently.

Without the IOPP Certificate a ship could encounter severe international trade restrictions and delays. The certificate is reissued every 5 years. Without the cargo monitor discharge data it would not be possible to confirm that the ship is operating in compliance with U.S. regulations and/or MARPOL 73/78.

7. Special circumstances that require collection to be conducted in an inconsistent manner.

Not applicable.

8. Consultation.

The information collection requirements of this rule were presented for public comment under the APA.

9. Provide any payment or gift to respondents.

No payments or gifts to respondents.

10. Assurances of confidentiality provided to respondents.

All information collected complies with the Freedom of Information Act (FOIA), the Privacy Act, and OMB Circular A-103/A-108. Information is collected only on a vessel-

by-vessel basis. There are no assurances of confidentiality because the information collected is not of a sensitive nature.

11. Additional justification for any questions of a sensitive nature.

Not applicable, there are no questions of a sensitive nature involved.

12. Estimates of information collection burden.

Total number of annual respondents: 1,650 [1,640 + 10]

Total number of annual responses: 25,566 [a) 328, b) 10, and c) 25,228]

Total annual burden hours: 6,616 [a) 108, b) 200, and c) 6,308]

Total annual cost hours: \$264,640 [a) \$4,320, b) \$8,000, and c) \$252,320]

Table 2.
Estimate of Vessels that have IOPP Certificates
(Carry oil and are greater than 150 gt., and all other ships greater than 400 gt.)

Non-Tank Vessels		
FREIGHT BARGE	6	
FREIGHT SHIP	1	
MODU	91	
OIL RECOVERY	55	
PUB. TANKSHIP/BARGE	3	
Non-Tank Vessels		156
Tank Barges		
TANK BARGE	1,013	
TANK BARGE "OD"	363	
TANK BARGE "OI"	10	
Tank Barges		1,386
TANK SHIP		98
Non-US Ships ¹	926	
US Ships – TOTAL		1,640

a) IOPP Certificates and supplements.

The total number of U.S. vessels affected by the IOPP Certificate reporting requirements is estimated to be 1,640 (156 Non-Tank Vessels + 1,386 Tank Barges + 98 Tank Ships). This figure was obtained by comparing the data available from the U.S. Coast Guard Marine Safety Management System (MSMS). The required

¹ The MSMS Database shows that in 1998, there were 926 ships that came into the United States transporting cargo that would require a declaration of inspection. Each year and for the three year period in this submission, we assume that the same number of foreign ships would enter the United States with cargoes required to have a declaration of inspection while unloading or loading.

posting of an IOPP Certificate and supplement take approximately twenty minutes (0.33 hours) per ship. The IOPP Certificate will be issued once every five years. Approximately 1,640 vessels are required to have an IOPP Certificate. The total number of annual responses is estimated to be 328 (1,640 ships / 5 years). The total estimated annual burden on the public is 108 hours (rounding up 328 x 0.33 hours/ship). Total cost to the public is estimated to be \$4,320 per year (108 hours/year x \$40 hour, estimated from the Out of Government wages of the Enclosure(2) to COMDTINST 73101.1F – Hourly Rates for Personnel).

b) Evidence required for ships not party to MARPOL 73/78.

The total number of vessels affected by the required evidence is estimated to be approximately 1% of the 926 non-US population. This population figure was obtained by comparing the data available from the U.S. Coast Guard Marine Safety Management System (MSMS). The presentation and compilation of the required information needed is expected to take approximately twenty hours per ship. The total estimated annual burden on the public is 200 hours (10 x 20 hours/ship). Total cost is estimated to be \$8,000 per year (200 hours/year x \$40 hour, estimated from the Out of Government wages of the Enclosure(2) to COMDTINST 73101.1F – Hourly Rates for Personnel).

c) Retain discharge data recorded by a cargo monitor.

There are approximately 1,484 tank vessels in the U.S. fleet that are required to keep records of cargo monitor discharge data (1,386 Tank Barges + 98 Tank Ships). To estimate the annual burden the following assumptions are made:

- each vessel operates for 350 days a year;
- a ballast discharge is made every 20 days, making approximately 17 discharges per year;
- recordkeeping takes ¼ hour per ballast discharge; and .
- a person with an equivalent wage to a LT would be in charge of keeping the record, receiving an hour salary of \$40.00 (taken from the Out of Government wages of the Enclosure(2) to COMDTINST 73101.1F – Hourly Rates for Personnel).

Table 3 shows the burden per type of vessel.

Table 3.
Estimate of Annual Burden for Vessels that Retain Cargo Monitor Discharge Data

Type of Vessel	Number of Vessels	Annual Discharges (17 per vessel)	Hour Burden (0.25 hrs. per discharge)	Cost Burden (\$40 per hr.)
Tank Barges	1,386	23,562	5,891	\$235,640
Tank Ships	98	1,666	417	\$16,680
Total	1,484	25,228	6,308	\$252,320

13. Estimate of annual capital and start-up costs.

Not applicable.

14. Estimates of annualized cost to the Federal Government.

It takes the Coast Guard an average of 120 minutes (or 2.0 hours) to complete each Certificate. With an estimate of 328 forms issued per year, the Coast Guard would devote 656 hours annually (656 hours = 328 forms x 2.0 hours/form). Assuming a Lieutenant is involved with the issuance of the forms, at an hourly rate of \$43 (Commandant Instruction 73101.1F), the total annual cost to the Federal Government would be \$28,208 (656 hours/year x \$43/hour = \$28,208). Regarding cargo monitor discharge records, we assume no specific costs are associated with them, as these records would be examined in the general course of a Coast Guard inspection or investigation.

15. Reasons for change in the burden.

The change in burden is an ADJUSTMENT due to a decrease in the vessel population.

16. Plans for tabulation, statistical analysis and publication.

It is not planned to use the information for statistical purposes.

17. Approval for not explaining the expiration date for OMB approval.

Not applicable.

18. Exception to the certification statement.

Not applicable.

B. Collection of Information Employing Statistical Methods.

Not applicable.